

TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371		ATTORNEY'S DOCKET NUMBER 9-13528-185US-1
INTERNATIONAL APPLICATION NO. PCT/CA2003/0001044	INTERNATIONAL FILING DATE 11 July 2003	U.S. APPLICATION NO. (If known, see 37 CFR 1.5) 10/531314 PRIORITY DATE CLAIMED 3 October 2002
TITLE OF INVENTION OPTICAL DISPERSION COMPENSATION IN THE ELECTRICAL DOMAIN IN AN OPTICAL COMMUNICATIONS SYSTEM		
APPLICANT(S) FOR DO/EO/US John McNICOL et al.		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a submission under 35 U.S.C. 371. 2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a submission under 35 U.S.C. 371. 3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below. 4. <input checked="" type="checkbox"/> The US has been elected (Article 31). 5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). b. <input checked="" type="checkbox"/> has been communicated by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). 6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)). a. <input type="checkbox"/> is attached hereto. b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4). 7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> have been communicated by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input checked="" type="checkbox"/> have not been made and will not be made. 8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). 9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). 10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).		
Items 11 to 20 below concern document(s) or information included:		
11. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98. 12. <input checked="" type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. 13. <input type="checkbox"/> A preliminary amendment. 14. <input checked="" type="checkbox"/> An Application Data Sheet under 37 CFR 1.76. 15. <input type="checkbox"/> A substitute specification. 16. <input checked="" type="checkbox"/> A power of attorney and/or change of address letter. 17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821- 1.825. 18. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4). 19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4). 20. <input checked="" type="checkbox"/> Other items or information: Copies of: PCT Request, Form PCT/IB/304; International Search Report; and Written Opinion.		

This collection of information is required by 37 CFR 1.414 and 1.491-1.492. The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 15 minutes to complete, including gathering information, preparing, and submitting the completed form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

JC13 Rec'd PCT/PTO 13 APR 2003

PTO-1390 (Rev. 02-2005)

Approved for use through 3/31/2007. OMB 0651-0021

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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U.S. APPLICATION NO. (If known, see 37 CFR 1.5) <div style="font-size: 2em; font-weight: bold; margin-top: 5px;">10/531314</div>		INTERNATIONAL APPLICATION NO. PCT/CA2003/0001044		ATTORNEY'S DOCKET NUMBER 9-13528-185US-1	
The following fees have been submitted				CALCULATIONS	PTO USE ONLY
21. <input checked="" type="checkbox"/> Basic national fee..... \$300				\$ 300	
22. <input checked="" type="checkbox"/> Examination fee If International preliminary examination report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4)..... \$100 All other situations..... \$200				\$ 200	
23. <input checked="" type="checkbox"/> Search fee Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority..... \$100 International Search Report prepared and provided to the Office..... \$400 All other situations..... \$500				\$ 400	
TOTAL OF 21, 22 and 23 =				\$ 900	
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE		
- 100 =	/50 =		x \$250	\$ 0	
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(h)).				\$ 130	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	25 - 20 =	5	x \$ 50	\$ 250	
Independent claims	5 - 3 =	2	x \$200	\$ 400	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)				+ \$360	\$ 0
TOTAL OF ABOVE CALCULATIONS =				\$ 1,680	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2.					
SUBTOTAL =				\$ 1,680	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).				\$	
TOTAL NATIONAL FEE =				\$ 1,680	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				\$ 40	
TOTAL FEES ENCLOSED =				\$	
				Amo refur Amo char	
<p>a. <input type="checkbox"/> A check in the amount of \$ _____ to cover the above fees is enclosed.</p> <p>b. <input checked="" type="checkbox"/> Please charge my Deposit Account No. <u>19-5113</u> in the amount of \$ <u>1,720</u> to cover the above fees. A duplicate copy of this sheet is enclosed.</p> <p>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>19-5113</u>. A duplicate copy of this sheet is enclosed.</p> <p>d. <input type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</p>					
<p>NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.</p> <p>SEND ALL CORRESPONDENCE TO:</p> <p style="margin-left: 40px;">Ogilvy Renault Customer Number 020988</p>					
				<div style="font-size: 1.5em; margin-bottom: 5px;">K. Daniels</div> SIGNATURE	
				Kent Daniels NAME	
				44,206 REGISTRATION NUMBER	

Could you double check fee calculation sheet (is that correct send, even fees were selected) TX. H.

NC10 Rec'd PCT/PTO 13 APR 2005

File No. 9-13528-1805-1 185 US (24) ☐

Date: April 12/2005

Applicant John M. MURKIN et al

Patent Ser. No. 10/531314

Trade Mark Ser. No. -

Design Ser. No. -

AMENDMENT: ☐ U.S. PCT
NEW CASE: ☒ National Phase
Application

DEADLINE -

Initials KO/Hb

FEE BEING PAID

Filing ☒
Assignment ☒
Extra Claims ☐
Final ☐

TM Publication ☐
Registered User ☐
Opposition ☐
Renewal ☐
Other: specify ☐
Petition For Revival

Amount Total: 3,220.00

Deposit Account 19.5113
Cheque No.

**OGILVY
RENAULT**

10/531314

13 Rec'd PCT/PTO 13 APR 2005

April 12, 2005

Mail Stop PCT



Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
U.S.A.

Sir:

**Re: United States PCT National Phase Patent Application
Corresponding to PCT/CA2003/001044**
**Title: OPTICAL DISPERSION COMPENSATION IN THE
ELECTRICAL DOMAIN IN AN OPTICAL
COMMUNICATIONS SYSTEM**
Inventor(s): John McNICOL et al.
Assignee: Nortel Networks Limited
Our File: 9-13528-185US-1

In connection with the above-identified PCT application, we respectfully request national entry in the United States of America.

Particulars of the application are as follows:

- a) International application number: PCT/CA2003/001044
- b) International filing date: July 11, 2003
- c) Priority: Country: United States
Application No.: 10/262,944
Date: October 3, 2002
- d) Name of first applicant: John McNICOL

**Barristers & Solicitors
Patent & Trade-mark Agents**

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Suite 1600
Montréal, Quebec
Canada H3A 2Y3

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ogilvyrenault.com

Continuing the practices of
**Meighen Demers
Ogilvy Renault
Swabey Ogilvy Renault**

Montréal • Ottawa • Québec • Toronto • Vancouver • London (England)

We enclose formal documentation, as follows:

- a) Transmittal Letter to the United States Designated/Elected Office, Form PTO-1390.
- b) Petition for Revival of an Application for Patent Abandoned Unintentionally under 37 CFR 1.137(b), together with Fee Transmittal Form PTO/SB/17 (in duplicate) .
- c) Declaration under 37 CFR 1.63 (3 pages), with Patent Application Data Sheet.
- d) Executed Power of Attorney.
- e) Statement under 37 CFR 3.73(b) together with copy of assignment attached
- f) Assignment in favor of Nortel Networks Limited with Recordation Form PTO-1595.
- g) Information Disclosure Statement with PTO Forms SB/08A and SB/08B, and copies on non-patent cited references.
- h) Copy of form PCT/IB/304 evidencing that a certified copy of the priority application was provided during the international phase.
- i) Copies of PCT Request, International Search Report, and Written Opinion.
- j) Return receipt postcard.

The applicant/inventor(s) qualify for **large** entity status.

Please note that the title of the application was amended by the International Searching Authority in the International Search Report. A copy of Form PCT/ISA/210 is attached herewith. As of execution of the Declarations and Assignment, and as of the PCT International filing date, the title was ELECTRICAL DOMAIN COMPENSATION OF OPTICAL DISPERSION IN AN OPTICAL COMMUNICATIONS SYSTEM. Also enclosed is a copy of the Request filed with the application identifying the aforementioned title.

**OGILVY
RENAULT**

The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to our Account No. 19-5113.

Please note that the address of the agents for the applicant in this matter should be the Montreal address identified in the enclosed Power of Attorney. Correspondence may be directed to Kent Daniels at the Montreal address of Ogilvy Renault.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "K. Daniels".

Kent Daniels,
Reg. No. 44,206
Agent of Record
Encls.

Under the Paperwork Reduction Act of 1995 no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Effective on 12/08/2004.
Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

FEE TRANSMITTAL

For FY 2005

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) **1,500**

Complete if Known

Application Number	-
Filing Date	-
First Named Inventor	John McNICOL
Examiner Name	-
Art Unit	-
Attorney Docket No.	9-13528-8-185US-1

METHOD OF PAYMENT (check all that apply)

☐ Check
 ☐ Credit Card
 ☐ Money Order
 ☐ None
 ☐ Other (please identify): _____

☒ Deposit Account
 Deposit Account Number: 19-5113
 Deposit Account Name: Ogilvy Renault

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below
 ☐ Charge fee(s) indicated below, except for the filing fee

☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17
 ☒ Credit any overpayments

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

FEE CALCULATION

1. BASIC FILING, SEARCH, AND EXAMINATION FEES

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

2. EXCESS CLAIM FEES

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	200	100
Multiple dependent claims	360	180
Total Claims	Extra Claims	Fee (\$)
- 20 or HP = _____	x _____	= _____
HP = highest number of total claims paid for, if greater than 20.		
Indep. Claims	Extra Claims	Fee (\$)
- 3 or HP = _____	x _____	= _____
HP = highest number of independent claims paid for, if greater than 3.		

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
_____	_____	_____	_____	_____

_____ - 100 = _____ / 50 = _____ (round up to a whole number) x _____ = _____

4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount) **Fees Paid (\$)**

Other (e.g., late filing surcharge): 1453 - Petition to Revive unintentionally abandoned appl'n under 1.17(m) **1,500**

SUBMITTED BY

Signature		Registration No. (Attorney/Agent)	44,206	Telephone	613-780-8673
Name (Print/Type)	Kent Daniels	Date	April 12, 2005		

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.